



DEPARTMENT OF THE NAVY
COMMANDER NAVAL INFORMATION FORCE RESERVE
1550 DOOLITTLE AVE
FORT WORTH TX 76127-1550

5720
Ser N00/297
September 14, 2022

YNCM Shergala Brockett
231 E Pleasant Run Road
Lancaster, TX 75146

Dear YNCM Brockett:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST DON-NAVY-2022-010175

This letter is in response to your request under the Freedom of Information Act (FOIA), assigned tracking number DON-Navy-2022-010175, dated July 6, 2022, for information pertaining to "Commander Naval Information Force Reserve, Command Investigation of 3 June 22, a complaint filed against me (YNCS Shergala Brockett) in 2021/2022 with Commander, Navy Reserve Force Inspector General, and/or any investigation bearing my name." Your request was received by this command on August 22, 2022 and processed in accordance with the FOIA.

We have completed a review and are providing releasable records to you with this response. The following documents, in accordance with the FOIA, are provided with redactions: Command Investigation Concerning Navy IG Case (number redacted) and Naval Information Force Reserve Command Services Department (with enclosures) dated June 3, 2022.

The aforementioned documents are provided to you with redactions pursuant to FOIA exemptions (b)(6) and (b)(7)(c). These redactions withhold release of the names and other personal information of third parties. Exemption (b)(6) protects from disclosure information about individuals when the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. Exemption (b)(7)(c) provides protection for law enforcement information the disclosure of which "could reasonably be expected to constitute an unwarranted invasion of personal privacy." Law enforcement information includes anything that could result in criminal, civil, or administrative penalties and includes Inspector General and command investigations.

Our review included consideration of the "foreseeable harm standard" (i.e., that information which might technically fall within an exemption should not be withheld from a FOIA requester unless the agency can identify a foreseeable harm or legal bar to disclosure.) The appropriate balancing test was applied throughout our review to determine whether personal privacy interests outweighed public interest.

Some of the information in the command investigation was determined to fall under the purview of Commander, Naval Reserve Forces Command (CNRFC). We are forwarding the subject records to that command for direct response to you. If you have any questions about the further processing of your request, you may contact CNRFC at (757) 322-5612.

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In accordance with Navy policy, all fees have been waived.

I am the official responsible for the releaseable records with redactions. If you have any questions, please contact the command FOIA coordinator, LCDR Tara Lawlor, at tara.c.lawlor.mil@us.navy.mil.

You have the right to an appeal. It must be received (i.e., post-marked if by mail, sent if by email, submitted if by FOIAonline) within 90 calendar days from the date of this letter. Please provide the appellate authority (see below) the following in an envelope marked "FOIA appeal":

- a. A letter requesting an appeal that explains what you are appealing with any supporting arguments or reasons you think may be worthy of consideration;
- b. A copy of your initial request; and
- c. A copy of the letter of denial.

Also, please provide me a copy of your appeal letter at:

Commander, Naval Information Force Reserve
1550 Doolittle Avenue
Fort Worth, Texas 76127-1550

There are two ways to file an appeal: through FOIA online or by mail.

a. Through FOIAonline. This will work only if you set up an account on FOIAonline before you make the request that you would like to appeal. To set up an account, go to FOIAonline (this is a website that will appear as the top hit if you search the internet for "FOIAonline"), click "Create Account" (a link located within the blue banner at the top in the upper right corner), enter your data into the field that subsequently appears, and click "Save" (at the bottom left of the screen). With your account thereby created, you will have the power to file an appeal on FOIAonline to any request you file on FOIAonline thereafter. To do so, locate your request (enter a keyword or the request tracking number in the "Search for" field on the "Search" tab), click on it, then the "Create Appeal" tab in the left-hand column. Complete the subsequent field, click "Save," and FOIAonline will submit your appeal.

b. By mail. Address your appeal to:

The Judge Advocate General (Code 14)
1322 Patterson Avenue SE, Suite 3000
Washington Navy Yard, DC 20374-5066

If you have any questions, please contact the FOIA coordinator, LCDR Tara Lawlor, at tara.c.lawlor.mil@us.navy.mil. You may also contact the DON FOIA Public Liaison,

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Christopher Julka, at christopher.a.julka@navy.mil, (703) 697-0031. In addition, the Office of Government Information Services (OGIS) provides a voluntary mediation process for resolving disputes between persons making FOIA requests and the Department of the Navy (DON). For more information, go to <https://www.archives.gov/ogis/about-ogis/contact-information>.

Sincerely,



G. K. EMERY
Commander